

Calendar No. 970

68TH CONGRESS }
2d Session }

SENATE

{ REPORT
No. 900

APPEALS FROM INTERLOCUTORY DECREES IN ADMIRALTY

JANUARY 20, 1925.—Ordered to be printed

MR. BUTLER, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 9162]

The Committee on the Judiciary, to which was referred the bill (H. R. 9162) to amend section 128 of the Judicial Code, relating to appeals in admiralty cases, having considered the same, report thereon with the recommendation that it be passed without amendment.

The purpose of this bill is to expedite the determination of admiralty hearings and to reduce the considerable expenses incident to admiralty trials. The uniform practice in the several districts in admiralty matters has been for the court to determine the question of liability for the loss, then to enter an interlocutory decree adjudging liability and referring to a commissioner the question of the assessment of damages. After damages are assessed the final decree is entered. Appeals are taken from final decrees only. The proposed bill primarily intends the right of appeal from the interlocutory order determining liability. This procedure will materially reduce costs and considerably expedite the final disposition of cases.

The passage of this measure is urged by the Department of Justice, the courts, and those who have frequent recourse to admiralty proceedings. An identical bill was passed by the Senate during the Sixty-seventh Congress, but not in sufficient time to allow of its passage by the House before the expiration of the Congress.